

REMARKS

Applicant requests reconsideration of the application in view of the discussion that follows.

The status of the claims is as follows. Claims 41-97 were previously canceled without prejudice to Applicant's filing of divisional applications to the separately patentable subject matter thereof and claims 3, 4, 26 and 98-101 were previously canceled and claims 148-165 were added previously. Therefore, claims 1, 2, 5-25, 27-40 and 102-165 are pending. No claims were amended herein.

Rejection under 35 U.S.C. §112

Applicant acknowledges the withdrawal of the rejection of claims 1, 2, 5-25, 27-40 and 102-165 under the first paragraph of the above code section.

Claim Objections

Claims 5-16, 23-40, 106-110, 114-121, 126-130, 133, 134, 141-145, 147, 153, 154 and 158-165 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant submits that the accompanying Terminal Disclaimer obviates the above objection to the claims since the Terminal Disclaimer obviates the rejection of the respective base claims.

Double Patenting

Claims 1, 2, 17-22, 102-105, 111-113, 122-125, 131-132, 135-140, 146, 148-152 and 155-157 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6, 17-18, 20-21, 24, 41, 42, 46, 47, 60-61, 63-64, 72-77, 78 and 87-92 of U.S. Patent No. 6,251,588.

Without acquiescing in the position expressed in the Office Action, Applicant submits that the accompanying Terminal Disclaimer obviates this ground of rejection.

Conclusion

The accompanying Terminal Disclaimer obviates the above double patenting rejection of claims 1, 2, 17-22, 102-105, 111-113, 122-125, 131-132, 135-140, 146, 148-152 and 155-157. Objected to claims 5-16, 23-40, 106-110, 114-121, 126-130,

133, 134, 141-145, 147, 153, 154 and 158-165 are allowable because of their respective dependency from the base claims. Allowance of the above-identified patent application, it is respectfully submitted, is in order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Theodore J. Leitereg', written in a cursive style.

Theodore J. Leitereg
Attorney for Applicant
Reg. No. 28,319

Agilent Technologies, Inc.
Legal Department, M/S DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599